



**MINUTES OF THE SIGNIFICANT ECOLOGICAL AREA
TECHNICAL ADVISORY COMMITTEE (SEATAC)
MEETING OF 14 September 2009**

(Minutes approved on October 22, 2009. Michael Long moved for approval and Dan Cooper seconded the motion.)

PERSONS IN ATTENDANCE:

SEATAC MEMBERS

Dr. Jonathan Baskin (absent)
Dan Cooper
Ty Garrison
Michael Long
Dr. Thomas Scott (absent)
Dr. Cheryl Swift

REGIONAL PLANNING STAFF

Dr. Shirley Imsand (SEATAC coordinator)
Steven Mar (SEATAC coordinator)
Anthony Curzi, Impact Analysis

NextLight, AV Solar Ranch One representatives and interested parties, TR 071035, RENVT 200900027, CUP 200900026

Robert Ray, Project Manager, URS	(805) 964-6010
John Davis IV, Lead Biologist, URS	(805) 202-9560
Roy Skinner, NextLight	(415) 935-2514
Christopher Julian, Biologist, URS	(805) 964-6010
Jack Pigott, NextLight	(415) 935-2512
Peter Gutierrez, Latham & Watkins	(213) 891-7309

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NOTE: SEATAC MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED VOLUNTEERS IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. SESSIONS ARE ALSO TAPE RECORDED BUT THE TAPES ARE PRIMARILY FOR BACK-UP USE BY STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE SESSION. ISSUES NOT DISCUSSED BY SEATAC DO NOT IMPLY TACIT APPROVAL. NEW OR CLARIFIED INFORMATION PRESENTED IN SUBSEQUENT SUBMITTALS MAY RAISE NEW ISSUES AND MAY REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE NEXT SEATAC MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

MINUTES

NON-AGENDA ITEMS

1. **Discussion of certification process for SEATAC-certified biologists.**
SEATAC recommended that SEATAC evaluation and certification should be placed upon individual biologists and not with companies. If a previously-certified biologist moves to another company, there should be no reason for that biologist to become re-certified.

AGENDA ITEMS

2. **Minutes of 6 July 2009** were approved as amended via e-mail. Scott Harris made a motion to approve the minutes and Dan Cooper seconded the motion to approve.
3. **Minutes of 3 August 2009** were approved as amended. Michael Long made a motion to approve the minutes and Ty Garrison seconded the motion to approve.
4. **Review and approval of the Los Angeles County Sensitive Bird Species List.**

SEATAC Comments:

SEATAC wants to set a policy for the list not to be static. It is a living document that should be updated every 2-5 years and made accessible for viewing through links on the Department of Regional Planning's website and on the L.A. Audubon website.

SEATAC Recommendations:

All applicants with projects within SEAs would consider, along with existing birds lists, species identified in the Sensitive Bird Species article written in the Western Tanager [Volume 75, Number 3 January/February 2009] listing bird species considered to be sensitive in L.A. County and identify potentially significant impacts and recommend mitigation that would affect such species. The potential for sensitive bird species to occur on a site should also be discussed due to variables such as suitable habitat, seasons, time of year, etc.

5. **Project Description: NextLight, AV Solar Ranch One**

Tract TR 071035, RENV 200900027, CUP 200900026

Applicant: Roy Skinner of NextLight

Biologist: John Davis IV of URS Corporation, Santa Barbara

A project for a new solar photovoltaic facility in the vicinity of Fairmont Butte is proposed for approximately 2100 acres. The project site is located approximately 20 miles northwest of the City of Lancaster in Los Angeles County, California. The site is roughly between 155th Street West and 180th Street West and between Avenue B-5 West and Avenue E West. The project includes a 20,000 sq.ft. facility building, an 8 ft.-high perimeter fence to prevent vandalism, and transmission line to deliver power produced. The transmission line for the project will run north along 170th St. West for 3.5 mi. to the SCE Whirlwind substation on Astoria Avenue in Kern County or, alternatively, 1.5 miles along Avenue C to connect into the Antelope-Magunden transmission line.

The current use of some of the land is agricultural and fallow agricultural, but most is land that has had previous agricultural use and is now covered by rabbitbrush scrub or non-native grasses. There is a 27-acre ranch with domicile and outbuildings that will be leveled. The ranch has Junipers, exotic trees, and a defunct pistachio orchard that support a number of native birds. The southeast corner of the project has a wildflower field of California Poppies, Goldfields, Lupine, and other wildflowers. The site includes part of a Significant Ecological Area, **SEA #60, Joshua Tree Woodland Habitat SEA**. There has been some recruitment of Joshua Trees onto the subject property that is not included in the SEA, and about 30 of 50 recruits would be removed. The part of the property in the SEA has no Joshua Trees at the present time.

The project includes the 20,000 sq.ft. facility building, 75,000 tilted tracker units, 1,300 drive motors, 400 pads for electrical equipment. There are two types of ballast bases proposed for the panels: the current design is of heavy concrete blocks, approximately 10'x2'x1.5'. Tracker units will have connected foundations for stability in severe wind conditions. A less expensive and preferred base is currently in design, a screw-type base that would cover less area than the blocks, but need drilling into the ground for about 15' depth. Drive motors will be on concrete pads 8' X 12' spaced 1200' apart. High points of the tilted tracker units will be about 15 ft. above ground surface and electrical equipment enclosures reach to about 12 ft. height.

Grading proposed is 700,000 cu.yd of cut and 700,000 cu.yd. of fill to be balanced on site. Most of the grading is for channelizing the main drainage course, which will be about 10' deep at the SW end and even with the surrounding terrain at the NW end. The walls of the main course are to be earthen, and "V"-shaped groins in the sandy stream course will direct water flow away from the walls. Other drainages on site will be left as is. There are several drainages on-site that start abruptly with a depth of about 3-5 ft. and terminate by flowing out onto the surrounding desert plain. The origin and nature of these

ancillary, apparently unconnected drainages is unknown. It is anticipated that very minimal grading will be needed for the remainder of the site, as the applicants hope to keep the present ground covers to minimize dust production, which would be detrimental to optimal radiation reception. The project installation may require some grading for flat alignment of the solar panels. Production of electricity would occur about three years after construction begins. The site is evaluated as averaging +7.5 KWh/m²/day.

SEA RESOURCE DESCRIPTION: The **Joshua Tree Woodland Habitat** is diminishing at an accelerating rate in Los Angeles County due to agricultural, solar, and urban expansion in the County's desert regions. This vegetation has a fairly strict elevation criterion and occurs between 2500-4000 feet. The dominant species is the Joshua Tree (*Yucca brevifolia*) which may reach heights of 5 to 12 m. Other common species of the woodlands include Mojave Yucca, sage, box-thorn, and buckwheat.

Action Requested: Continued review of Biological Constraints Analysis and follow-up to SEATAC meeting on May 11, 2009, to advise on preparation of the Biota Report. The Biota Report will be used to prepare the Environmental Impact Report (EIR) for California Environmental Quality Act (CEQA) compliance under Article 7, Section 15080. Mitigation measures may be proposed by SEATAC for incorporation into the EIR.

SEATAC Comments:

- 1) SEATAC commented that there was a reference to a habitat/vegetation management plan in the text of the report but it was not included in the report. The applicant responded that the vegetation plan will be prepared accordingly to meet the requirements of the mitigation measure it's tied to. Certain portions of the site have greater opportunities for habitat quality and restoration potential.
- 2) SEATAC reiterated that once a project impacts the SEA, SEATAC has de facto jurisdiction over the entire project site in its review.
- 3) SEATAC mentioned that the cumulative impacts list does not mention any solar projects or the Centennial Project. The West Mojave Plan indicates that there are 1 million acres of solar projects currently being proposed or planned. There is also a study done by UC Santa Barbara students that looked at cumulative impacts of renewable energy development, concentrating on solar, in the West Mojave area. SEATAC would like a broader regional consideration than the 5-mile radius used by the applicant. The regional discussion should include projects in Kern County also, which is in the Western Mojave biome.

- 4) Applicant stated that they generally looked within a 5 miles radius to study cumulative impacts. Applicant asked if SEATAC wanted them to just look specifically at the West Mojave area for cumulative impacts. SEATAC stated that their concern is with impacts that affect biomes – in this case the West Mojave biome that the applicant should look at. Applicant expressed, and SEATAC acknowledged, the difficulty of measuring cumulative impacts of proposed projects that may or may not be built.
- 5) Applicant asked a question about, in his past experience, how separate mitigation land ratios suggested between BLM and Fish & Game and how they are additive. SEATAC explained that the two ratios should not be additive for the same species. Mitigation areas would be additive for the case in which two different species inhabit two different habitats, but not additive for the case in which two different species could inhabit the same habitat. Land set aside for mitigation should be addressed in cumulative impacts.
- 6) SEATAC suggested that cumulative impacts might be analyzed through the perspective of two scenarios: 1) Maximum cumulative impacts if all nearby proposed projects were built 2) Minimal cumulative impacts if little to none of the projects were approved. Cumulative impacts may also be analyzed as a percentage of the total cumulative projects being proposed for the area.
- 7) Applicant is currently looking at ways to avoid impacts and improvements to the channel. Psomas is currently preparing a plan (with hydrology) to eliminate channel improvements with the exception of a buried cut-off wall set back from the canal. Also looking at an alternate approach for the solar trackers that can withstand flood conditions. Previously a channel was proposed because an 18 in. inundation would result in a great loss of land. There will be a 100 ft. buffer on either side of the channel. Applicant states that County plans require a drainage easement of about 95 ft.
- 8) SEATAC asks why 7.9 acre Joshua tree recruitment area was not completely avoided. Applicant responded that completely avoiding the recruitment area would reduce the amount of power the project would be allowed to generate and adversely affect the project's economic return. Avoidance of the recruitment area will be discussed as an alternative in the EIR.
- 9) SEATAC pointed out that the Fish & Game agreement in regards to the channel cannot be considered a mitigation measure. The mitigation measure must list ways in which the Fish & Game agreement can be met.
- 10) SEATAC addressed the issue of shade caused by the solar panels. Most of the site will be shaded at some point of the day because of the panels. SEATAC stated that there's a discrepancy between the language in the report and the figures given in the tables about impacted shade area. The applicant clarified that the figures in the tables come from the CAD/GIS program that treats the

entire solar array, including the gaps between the individual panels, as one impacted area. SEATAC suggested addressing the change in wildlife and plants that could occur with the increased shade. Plants that typically grow beneath shrubs might increase, and these might be exotics. Rodent and jackrabbit populations might increase, but not if this wildlife prefers shrublands over grasslands.

- 11) Applicant clarified that mitigation areas are described textually in the report but not always on the map. SEATAC would like mitigation areas, both onsite and offsite, shown on map(s).
- 12) SEATAC is concerned if areas that describe the permanent disturbance areas are available for mitigation, it is not acceptable as restoration. Not just any land is acceptable as mitigation. SEATAC and applicant discussed the appropriateness of using a lower portion of the site as mitigation land. Off-site mitigation as a possibility for the project. Buffer areas are yet to be determined. Off-site acceptable mitigation would be natural areas that have similar habitat to the project; areas that contain species impacted by the project; private land located within the adjacent SEA and donation of County Parks, Fish & Game, or a conservancy; areas adjacent to other preserved land.
- 13) Applicant states that the ratio of permeable fencing to impermeable fencing will be 1:5. SEATAC suggests impermeable fencing be installed around the roadways and in a way that wildlife does not get bottlenecked onto roadways. SEATAC suggested possible fencing designs including fencing with wire strung across to allow wildlife to pass through while maintaining security around the site.
- 14) SEATAC suggests that underground tubes or small tunnels for wildlife, such as burrowing owls, would be insufficient for mitigation because they often get clogged with sand in the desert.
- 15) SEATAC wanted to know the height of the solar panels and how it would affect the underlying vegetation. Applicant stated that the height would be tall enough for a person to stand underneath it, approximately 9'-13' in height. Vegetation underneath the solar panels would have to be managed to prevent overgrowth. The entire site covered with solar panels should probably be written off in terms of suitable habitat for biota. SEATAC would like a dimensioned illustration of solar panel with a human figure standing beneath it.
- 16) SEATAC suggests planting the site with wildflowers and see what grows. Culverts should be large enough for something like a bobcat.
- 17) SEATAC wants to deter ravens from the site by designing perimeter fencing and transmissions lines that would discourage ravens.

- 18) Applicant asked since there is limited ability to do on-site mitigation, would it be acceptable to substitute with off-site mitigation. SEATAC stated that off-site mitigation might be acceptable but it's hard to say what kind of off-site mitigation would be acceptable. SEATAC suggested to find areas of contiguous preserve land if possible, find areas that has similar habitat to the project site, find areas that contains species that would be impacted, purchase private land located within the adjacent SEA and donate it County Parks, Fish & Game, a conservancy – all of which would improve your mitigation and decrease the mitigation ratios. The Santa Monica Mountains Conservancy has a database of possible properties. Conservation organizations that could manage mitigation areas are Rivers and Mountain Conservancy, Antelope Valley Conservancy, Antelope Valley Conservation District.
- 19) SEATAC asked about when drainage issues would be addressed. Applicant expects to have the hydrology report available by the end of September. It would be incorporated into the next draft of the EIR.
- 20) SEATAC clarified that vegetation is expected within the arrays but not as it naturally occurs presently on the site (in terms of abundances, certain species).
- 21) SEATAC states that even though the part of the site covered with solar arrays and narrow linear areas influenced by edge effects should be conserved a write-off in terms of habitat value, SEATAC is still looking at reducing impacts to surrounding wildlife as much as possible. Anything happening within the arrays should not be considered proper mitigation. There should be a map depicting mitigation areas outside of the array. SEATAC suggests that the applicant come up with what kinds of mitigation they think would be adequate for off-site mitigation from the perspective of different agencies/organizations (SEATAC, Fish & Game, etc.).
- 22) Applicant clarified that desert saltbrush scrub occurs as a small patch along the transmission lines
- 23) SEATAC recommends that lighting should be controlled by motion detectors and activated by light sensors for nighttime.

SEATAC Recommendations:

- 1) SEATAC recommends the applicant revise the report to include all updated mitigations, especially if off-site mitigation will be incorporated, as well as updated maps and figures.
- 2) SEATAC recommends that the applicant complete the Biota section and have SEATAC clear it before including it in the DEIR.
- 3) SEATAC agrees with the applicant that a short presentation at the next SEATAC meeting of the issues that were raised at this meeting would be helpful.

The applicant can also submit a summary of issues that were addressed and how they were addressed as an update to the Biota report.

ACTION TAKEN: Further SEATAC review is required. Incorporate the above comments and recommendations into the Biota report and project design.

OTHER MATTERS

4. Public comment pursuant to Section 54954.3 of the Government Code.

No public comments were made.